

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
BRYSON CITY DIVISION  
CIVIL CASE NO. 2:13-cv-00047-MR-DLH**

PEGGY HILL and AMY WALKER, )  
                                    )  
Plaintiffs,                  )  
                                   )  
vs.                            )       **O R D E R**  
                                  )  
                                   )  
BARRY COGGINS and COLLETTE )  
COGGINS, d/b/a CHEROKEE BEAR ZOO, )  
                                   )  
Defendants.                 )  
                                   )  
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**THIS MATTER** is before the Court on the Defendants' Motion to Dismiss [Doc. 8] and the Magistrate Judge's Memorandum and Recommendation [Doc. 16] regarding the disposition of that motion.

Pursuant to 28 U.S.C. § 636(b) and the standing Orders of Designation of this Court, the Honorable Dennis L. Howell, United States Magistrate Judge, was designated to consider the motion to dismiss and to submit a recommendation for its disposition.

On May 27, 2014, the Magistrate Judge filed a Memorandum and Recommendation in this case containing proposed conclusions of law in support of a recommendation regarding the Defendants' Motion. [Doc. 16].

The parties were advised that any objections to the Magistrate Judge's Memorandum and Recommendation were to be filed in writing within fourteen (14) days of service. The period within which to file objections has expired, and no written objections to the Memorandum and Recommendation have been filed.

After a careful review of the Magistrate Judge's Recommendation, the Court finds that the proposed conclusions of law are consistent with current case law. Accordingly, the Court hereby accepts the Magistrate Judge's recommendation that the Defendants' Motion to Dismiss should be denied.

**IT IS, THEREFORE, ORDERED** that the Memorandum and Recommendation [Doc. 16] is **ACCEPTED**; the Defendants' Motion to Dismiss [Doc. 8] is **DENIED**.

**IT IS FURTHER ORDERED** that the Defendants shall file their Answer to the Complaint within fourteen (14) days of the entry of this Order.

**IT IS SO ORDERED.**

Signed: June 16, 2014



Martin Reidinger  
United States District Judge

